

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

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WRIT PETITION NO: 16563 of 2006

Dated: 22-10-2007

Between:

V.Rajagopal Reddy

..... **PETIT**

AND

Special Deputy Collector,
Land Acquisition,
Visakhapatnam.

.....RESPON

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HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

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WRIT PETITION No. 16563 of 2006
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ORDER:

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This writ petition is filed for a writ of Mandamus to declare the inaction of the respondent in paying the fee arrears to the petitioner as illegal and arbitrary.

The petitioner, a practicing advocate, was instructed to appear on behalf of the respondent in various cases in the High Court of Andhra Pradesh. The grievance of the petitioner is that though he had sent bills for payment of his fee in as many as 50 cases, bills of which have been filed along with the writ petition, the respondent has not been paying the same.

In the counter affidavit filed by the respondent, he has given the details of the cases in which the petitioner appeared and the fee payable. It is mentioned in the counter affidavit that the petitioner is eligible for payment of Rs.3,250/- towards the fee in writ petition/writ appeals etc., and that on calculation of the fee in 27 cases in which he appeared, a sum of Rs.45,500/- is due and payable.

Heard Sri Abid Ali, learned counsel for the petitioner and the learned Assistant Government Pleader for Land Acquisition.

The fact that the petitioner is entitled to fee of Rs.3,250/- in all the cases, which were entrusted to him, is not disputed by the learned counsel for the petitioner. His only grievance is that in addition to the sum of Rs.3,250/- payable towards advocate fee, the petitioner is entitled to receive other sums of Rs.325/- and Rs.200/- towards clerkage, postage and stationery and out of pocket expenses respectively, which amount is not being paid.

Having considered the submissions of the learned counsel,
I deem it appropriate to dispose of the writ petition with the following terms:

- (1) The petitioner shall be paid the fee as per the schedule of fees mentioned in paragraph 3 of the counter affidavit within a period of six weeks from today.
- (2) In addition to the said amount, the sum of Rs.525/- towards clerkage, postage and stationery and out of pocket expenses shall

also be calculated for the cases in which the petitioner appeared and paid along with the fee as mentioned in (1) supra, if not already paid.

Subject to the above, the writ petition is disposed of. No costs.

C.V.NAGARJUNA REDDY,J

Date: 22-10-2007
KLP